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Attorney for Defendant SALEEM KHAN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

SALEEM KHAN,

Defendant.

No. CR 12-00860 YGR

**STIPULATION AND ORDER
CONTINUING HEARING AND
DOCUMENTING EXCLUSION OF
TIME**

With the agreement of the parties, and with the consent of defendant Saleem Khan (“defendant”), the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from March 7, 2013 to May 2, 2013.

The Court finds and holds, and the parties stipulate, as follows:

1. The defendant Saleem Khan appeared before the Court on January 24, 2013. At that appearance, counsel informed the Court that the government had produced a large amount of discovery to the defense in this case and that the defense

1 believed this case was related to a pending insider trading investigation. The parties
2 jointly requested that the Court continue the case to March 7, 2013, for the purpose
3 of defense counsel's effective preparation.

4 2. The parties now jointly request that the Court continue the case to May
5 2, 2013 for the purpose of defense counsel's effective preparation and to
6 accommodate a scheduling conflict by the government.

7 3. This continuance is required because the defendant's work computer
8 image has not yet been produced to the defense. Production of that image has been
9 complicated because it contains confidential business information which affects the
10 defendant's prior employer.

11 4. That date is the first practical date for defense counsel and the
12 government because the government has a conflict on March 21, 2013. Defense
13 counsel is scheduled to be out of the State from March 27, 2013 until April 5, 2013,
14 and government counsel is scheduled to begin a trial in United States v. Nosal, CR
15 08-0237 EMC, on April 8, 2013.

16 5. The Court finds that, taking into the account the public interest in the
17 prompt disposition of criminal cases, granting the continuance until May 2, 2013 is
18 necessary for effective preparation of defense counsel, based on the need to review
19 the discovery that has been produced and has yet to be produced. See 18 U.S.C. §
20 3161(h)(7)(B)(iv). Given these circumstances, the Court finds that the ends of
21 justice served by excluding the period from March 7, 2013 to May 2, 2013 outweigh
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1 the best interest of the public and the defendant in a speedy trial. Id. §
2 3161(h)(7)(A).

3 6. Accordingly, and with the consent of the defendant, the Court orders
4 that the period from March 7, 2013 to May 2, 2013, be excluded from Speedy Trial
5 Act calculations under 18 § 3161(h)(1)(D) and 3161(h)(7)(A) and (B)(iv).
6

7 **SO STIPULATED.**

8 DATED: March 6, 2013

9 /s/
10 CHRISTOPHER CANNON
11 Attorney for defendant RENATO SATORRE

12 DATED: March 6, 2013

13 MELINDA HAAG
14 United States Attorney

15 /s/
16 KYLE F. WALDINGER
17 Assistant United States Attorney

18 **IT IS SO ORDERED.**

19 DATED: March 6, 2013

20 
21 HONORABLE YVONNE GONZALEZ ROGERS
22 United States District Court Judge
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